

## **Chapter 3**

# **Final Criteria**

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### **Introduction**

Public Law 101-510 required the Secretary of Defense to develop the final criteria to be used in selecting bases for closure and realignment. The final criteria are listed below and in Appendix C. Before developing the final criteria, the Secretary was required to publish the proposed criteria in the Federal Register and solicit public comments.

### **Proposed Criteria**

The Department of Defense (DoD) published the proposed criteria and requested comments in the November 30, 1990, issue of the Federal Register (55 FR 49679).

The proposed criteria closely mirrored the criteria established for the 1988 Defense Secretary's Commission on Base Realignment and Closure (See Appendix F for a history of base closures).

The 1988 criteria were developed jointly by the Department of Defense and the Congress, and were incorporated, by reference, into Public Law 100-526 (the Defense Authorization Amendments and Base Closure and Realignment Act).

The proposed DoD selection criteria differed in two ways from the 1988 criteria. The 1988 Base Closure Commission stated that in their analysis of the DoD base structure, they gave priority to military value. The 1988 Commission also recommended that "payback" not be limited to six years. DoD agreed and changed the 1988 criteria accordingly.

## Final Criteria

DoD published the final criteria in the February 15, 1991, issue of the Federal Register (56 FR 6374). The final criteria follow:

In selecting military installations for closure or realignment, the Department of Defense, giving priority consideration to military value (the first four criteria below), will consider:

### Military Value

1. The current and future mission requirements and the impact on operational readiness of the Department of Defense's total force.
2. The availability and condition of land, facilities and associated airspace at both the existing and potential receiving locations.
3. The ability to accommodate contingency, mobilization, and future total force requirements at both the existing and potential receiving locations.
4. The cost and manpower implications.

### Return on Investment

5. The extent and timing of potential costs and savings, including the number of years, beginning with the date of completion of the closure or realignment, for the savings to exceed the costs.

### Impacts

6. The economic impact on communities.
7. The ability of both the existing and potential receiving communities' infrastructure to support forces, missions and personnel.
8. The environmental impact.

## Analysis of Public Comments

DoD received 169 public comments in response to the proposed criteria and request for comments. The February 15, 1991 Federal Register notice contained an analysis of public comments received and a description of the changes DoD made to the proposed criteria. The public comments were grouped into four topics: general, military value, costs and "payback", and impacts. They are summarized below.

### General Comments

A substantial number of commentators expressed concern over the proposed criteria's broad nature, and many noted a need for objective measures or factors for the criteria. The inherent mission diversity of the Military Departments made it impossible for DoD to specify detailed criteria that could be applied to all bases. However, DoD did issue policy guidance to the Military Departments requiring that measures or factors be developed for each criteria (Appendix D).

Many commentators noted that a correlation between force structure and the criteria was not present. DoD's analytical processes were based on the force structure plan. The military value criteria of the final criteria provide the connection to the force structure plan.

Many commentators noted the need for more detailed information on how DoD would implement the base closure procedures required by the Act. The DoD Policy Memoranda provided that information. These memoranda are at Appendix D.

A number of commentators recommended assigning specific weights to individual criteria. Again, the mission diversity of the Military Departments prevented DoD from adopting this recommendation.

Several commentators gave various reasons why a particular installation should be eliminated from closure or realignment evaluation. DoD could not implement this comment as Public Law 101-510 requires that all installations be evaluated equally (see Appendix A).

A number of commentors noted a need for more management controls over data collection to ensure accuracy of data. DoD agreed and issued policy guidance to the Military Departments requiring them to develop and implement internal controls (see Appendix D).

Some of the early comments received recommended extending the original December 30, 1990, public comment deadline. DoD agreed and extended the public comment period to January 24, 1991 (55 FR 53536, December 31, 1990). In addition, DoD accepted for consideration 19 public comments received after the January 24, 1991, deadline.

### **Comments on Military Value**

A majority of comments received supported DoD's proposal to give priority consideration to military value criteria.

Several commentors recommended that National Guard and Reserve Component forces be included in the analysis. DoD agreed and the criteria were amended accordingly.

Some commentors recommended that DoD apply the military value criteria without regard to the Military Department currently operating or receiving the services of the base. DoD agreed and established procedures to pursue consolidation, sharing, or exchange of assets, where the potential exists.

Commentors recommended DoD include the availability of airspace in the consideration of military value. DoD agreed and revised the criteria accordingly.

Several commentors requested a geographic balance be maintained in closing or realigning bases. DoD could not implement this comment as Public Law 101-510 requires that all bases be evaluated equally. More importantly, DoD must retain its best assets in order to ensure that the nation obtains the best national defense for the available taxpayer dollars.

Some commentors recommended that the availability of trained civil service employees and private contractors be considered. The

availability of civilian or contractor workforces affects mission performance and consequently were already included in the criteria.

Several commentors recommended that mobilization potential at bases be considered. Contingency and mobilization requirements are important military value considerations which were already included in the criteria.

Some commentors recommended including overseas areas in the analysis. Congress specifically left overseas bases out of the procedures established by Public Law 101-510.

### Comments on Cost and "Payback"

Some commentors recommended calculating total federal government costs in DoD's cost and "payback" calculations, with examples being health care and unemployment costs. DoD instructed the Military Departments to include DoD-wide costs for health care and unemployment in their cost calculations (see Appendix D).

Several commentors noted the absence of a "payback" period and suggested 8 or 10 years be specified. DoD did not agree, as we did not want to rule out making changes that would be beneficial to the national security that would have longer returns on investment. The Military Departments were directed to calculate return on investment, consider it in their deliberations, and report it in their justifications (see Appendix D).

Some commentors recommended including environmental clean-up costs in the cost calculations. DoD is required by law to address two distinctly different types of environmental actions: environmental restoration (clean-up), and environmental compliance.

- o Environmental Restoration. DoD has a legal obligation for environmental restoration at all DoD hazardous sites, regardless of a decision to close a base. Consequently, environmental restoration costs were not considered in DoD's cost calculations. However, environmental restoration problems can affect near-term community reuse of a closing base and hence land value as well. The

expected value of land at closing bases is a factor in DoD cost and savings calculations.

- o Environmental Compliance. DoD has a legal obligation to ensure existing practices are in compliance with Clean Air, Clean Water, and other environmental acts. Expected environmental compliance costs can be a factor either as an avoidance, by ceasing the existing practice through closing a base, or in determining the appropriate receiving base.
- o DoD Policy Guidance. DoD issued policy guidance on the above environmental issues (see Appendix D).

Some commentors recommended DoD issue guidelines for calculating costs and savings. DoD agreed and the guidelines are at Appendix D.

### Comments on Impacts

Many commentors were concerned about social and economic impacts on communities and how they would be factored into the process. DoD issued guidance to the Military Departments to calculate economic impact by measuring the effects on direct and indirect employment in a community for each recommended closure or realignment (see Appendix D).

The meaning of proposed criterion number 7, "the community support at the receiving locations," was not clear to several commentors. DoD clarified this criterion by recognizing it referred to a community's infrastructure such as roads, water and sewer treatment plants, schools and the like.

Many commentors asked how environmental impacts would be considered. As stated above, DoD considered environmental costs, when appropriate. In addition, DoD issued guidance to the Military Departments (see Appendix D) to consider, at a minimum, the following elements when analyzing environmental consequences of a closure or realignment recommendation:

- o Threatened and endangered species
- o Wetlands
- o Historic and archeological sites
- o Pollution control
- o Hazardous materials/wastes
- o Land and airspace
- o Programmed environmental costs/cost avoidances

Finally, a number of commentors questioned the meaning of proposed criterion number 9, "The implementation processes involved." DoD decided that describing the implementation plan was not a specific criterion for decisionmaking. Consequently, DoD deleted criterion number 9 from the final criteria.